

**REMARKS**

Review and reconsideration on the merits are requested.

Firstly, withdrawn claims 5-15 are canceled.

Applicants now follow the paragraphing of the Examiner in **DETAILED ACTION**.

**Paragraph 2**

The Examiner has objected to the drawings, specifically referring to the ranges of values specified in independent claims 1 and 16 as well as the variations in heights as claimed in claims 20-22, taking the position that these must be shown in the drawings or canceled from the claims without the addition of new matter.

Applicants submit herewith proposed drawings for the Examiner's consideration, although Applicants do not believe that the drawings necessary for an understanding of the invention.

With respect to claim 1, it is believed that the added material in Fig. 1 will attend to claim 1.

With respect to claim 16, Applicants propose a drawing per the sheet with "Claim 16".

In similar fashion, with respect to claim 21 and claim 22, Applicants propose a drawing as in the attached sheet with the indications "Claim 21" and "Claim 22".

Applicants also attach a sheet designated "Claim 19 (Example of forming a groove and a header part)", a separate sheet labeled at the bottom "Data part" and a separate sheet entitled at the bottom "Header part".

Applicants believe the drawings find reasonable support in the specification, and request the Examiner to approve the same.

On the other, if the Examiner disagrees that there is reasonable support in the specification, the Examiner is requested to contact the undersigned so that a telephonic interview may be conducted regarding the drawings.

Approval of the corrected drawings is requested and withdrawal of the objection to the drawings is requested.

Paragraph 3

With respect to the objection to claims 3 and 4 as being of improper dependent form, Applicants amend claims 3 and 4 in a manner, which it is believed, overcomes the objection. See the specification at page 10, lines 11-17.

Paragraph 4

Claims 5-15 are canceled.

Paragraph 5

The phrase “optional length” in fact is correct in claims 1 and 16. The wording “in an optional length on the radius of the optical recording medium” in claim 1 means one calculates  $R_p$  from data obtained with regard to “optional length” predetermined optionally on the radius. The “optional length” may be at any optional position as long as it is within the recording/reproducing region of the optical recording medium. Thus, the location of predetermining “optional length” may be any optional position. See the disclosure at page 14,

lines 15-18 of the present specification. In this regard, in claim 16 Rph or Rpd is calculated from data obtained with regard to “optional length” predetermined optionally on the radius.

It is hoped this clarifies the terminology at issue. If the Examiner has any additional questions the Inventors can be contacted for further explanation.

Prior Art considered: U.S. Patent 6,587,427 Medower (Medower); the acknowledged Prior Art (acknowledged prior art).

The rejections: claims 1 under 35 U.S.C. § 102(e) as anticipated by Medower. The Examiner cites the discussion with respect to Figure 2.

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Medower further in view of the acknowledged prior art. The Examiner’s position is set forth in the Action.

The above rejections are respectfully traversed.

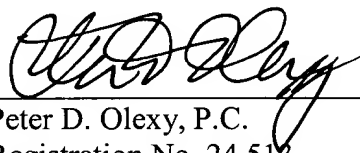
Medower discloses a magneto-optical recording medium having a perfectly level surface, the grooves of which are embedded with a transparent material. Since the Medower disk has a perfectly level surface,  $R_p$  is 0. Thus, the structure of the Medower disk is essentially different from the optical recording medium of the present invention the surface of which is not level but which has guide grooves formed for receiving a tracking signal (that is, the essential condition of  $R_p \geq 0.1H$  must be satisfied). When the essential condition of  $R_p \geq 0.1H$  is not satisfied, i.e., when  $R_p$  is less than  $0.1H$ , it is difficult to receive a tracking signal, and the effect of the groove as a guide groove cannot be achieved (see the discussion at page 13, lines 19 to 22 of the present specification).

AMENDMENT UNDER 37 C.F.R. § 1.111  
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Applicants thus respectfully submit that Medower does not anticipate claim 1 nor render claim 2 obvious even in combination with the acknowledged prior art, and request withdrawal of the rejections over Medower alone and further in view of the acknowledged prior art.

Upon approval of the drawings, it is believed this application is in condition for allowance and such is requested.

Respectfully submitted,



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